

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services – Registration & Stamps Department – Certain allegations against Sri Syed Masood Ali, Joint Sub Registrar-I (Retired) – Departmental Proceedings initiated – Final orders – Issued.

~~~~~

**REVENUE (VIG.VI) DEPARTMENT**

**G.O.Rt.No.1753.**

Dated: 14.12.2012.

Read the following:-

- 1) Allegations received by C & I.G. of R & S, Hyderabad, dated: 15.03.2002.
- 2) Charges framed by the DIG, R&S, Warangal in Procs.No.S/587/2002, dated: 06.04.2004.
- 3) From Sri Syed Masood Ali, Sub-Registrar (Retd.), Explanation, dated: 02.09.2004.
- 4) From the DIG, R&S, Warangal, Lr.No.S/587/2002, dated: 02.07.2009.
- 5) Govt. Memo.No.32685/Vig.VI (1)/2009-1, dated: 18.12.2009.
- 6) From the C&I.G., R&S, Hyderabad, Lr.No.X3/5492/2002, dated: 08.07.2010.
- 7) Govt. Memo.No.32685/Vig.VI (1)/09-2, dated: 15.09.2010.
- 8) Govt. Lr.No.32685/Vig.VI(1)/09-7, dated: 05.03.2011, dated: 16.05.2011.
- 9) From the Secretary, APPSC, Hyderabad, Lr.No.403/RT- I/2011, dated: 06.04.2011 & dated: 02.08.2011.
- 10) Govt. Memo.No.32685/Vig.VI (1)/2009-10, dated: 26.09.2011.
- 11) From the APAT, Hyd. it's final orders in O.A.No.9380/2011, dated: 08.08.2012.
- 12) Representation of Sri Syed Masood Ali, dated: 11.10.2010 received on 13.09.2012.
- 13) Govt. Lr.No.32685/Vig.VI(1)/09-15, dated: 06.11.2012.
- 14) From the Secretary, APPSC, Hyderabad, Lr.No.2131/RT/1/2012, dated: 28.11.2012.

\* \* \* \* \*

**ORDER:**

Whereas it was brought to the notice of the Government that the following charges were framed against Sri Syed Masood Ali, former Joint Sub Registrar-I, Registrar Office (OB), Warangal (now retired) by the Deputy Inspector General, Registration & Stamps Department, Warangal, under Rule 22 of Andhra Pradesh Civil Services (CCA) Rules, 1991 ( reference 2<sup>nd</sup> ):

**Charge-I:**

The Charged Officer failed to discharge his duties as Government Servant in accordance with the Rules and instructions issued from time to time and failed to behave properly with the other employees of the Department, Registering Public and caused inconvenience to the parties.

**Charge-II:**

The Charged Officer failed to scan some of the documents (As noted in the charge) on other than the date of presentation.

**Charge-III:**

The Charged Officer kept several documents pending for scrutiny and assigned regular numbers belatedly though the parties paid the deficit Stamp duty and registration fee on the day of presentation (list of documents as per charge enclosed). Minutes also not recorded in the Minutes Book.

**Charge-IV:**

The Charged Officer is not issuing Market Value Assistance slips to all the parties Rs.6,040/- were collected towards fee for 604 Market Value Assistant slips, but as per the system (Computer) 123 Market Value slips were issued.

**Charge-V:**

The Charged Officer levied 13% Stamp duty instead of 11% to the documents 1272/01, 1273/01, 3108/2000 and 3163/01 of Thimmapur (GP).

2. The Charged Officer submitted his Written Statement of Defence (reference 3<sup>rd</sup>). When the disciplinary proceedings were pending, the Charged Officer retired from service on 31.10.2006. Therefore, the Deputy Inspector General, Warangal sent a proposal to the Government (reference 4<sup>th</sup>) for taking further action against the Charged Officer under the Rule 9 of Andhra Pradesh Revised Pension Rules, 1980.
3. After examination of the matter the Commissioner and Inspector General was directed to state whether any regular enquiry has been ordered and conducted in this case and if so, furnish a copy of the same to the Government for taking further action (reference 5<sup>th</sup>).
4. The Commissioner and Inspector General reported (reference 6<sup>th</sup>) that no regular enquiry had been conducted presumably because the Disciplinary Authority had initiated proceedings for minor penalty only, which does not contemplate any enquiry. The Disciplinary Authority accordingly had proceeded to examine and decide the matter taking into considering the explanation, received from the Charged Officer and other materials available on record. The final report containing the finding was sent by the Disciplinary Authority to the Government, as the Charged Officer retired, before finalization of the proceedings by the Deputy Inspector General. Further he has requested the Government, to impose the penalty as per the Andhra Pradesh Revised Pension Rules 9(2)(a) of 1980 as the Government is competent authority, since the Accused Officer had retired from service.
5. In view of the above, Government felt that the prescribed procedure for conducting the proceeding and the requirement of due notice to the Charged Officer have been complied with.
6. Government after careful examination of the matter, decided to impose the punishment of 5% cut in pension for a period of 5 years against the Charged Officer. Accordingly, a Show Cause Notice was issued against the Charged Officer under rule 9 of Andhra Pradesh Revised Pension Rules, 1980 (reference 7<sup>th</sup>). But the Charged Officer did not given reply within time.
7. As the Charged Officer has not filed any explanation to Show Cause Notice and it was construed that he has accepted the charges and the proposed punishment and Government have provisionally decided to impose a penalty of withholding 5% in pension for a period of 5 years against the Charged Officer and requested the Andhra Pradesh Public Service Commission for their concurrence (reference 8<sup>th</sup>). Further Commission has given their opinion (reference 9<sup>th</sup>). Further Government have imposed a penalty of withhold 5% pension for a period of 5 years against the Charged Officer (reference 10<sup>th</sup>).
8. Aggrieved by the above orders, Sri Syed Masood Ali filed O.A.No.9380/2011 before Hon'ble Andhra Pradesh Administrative Tribunal. Government have filed counter in the above O.A before the Andhra Pradesh Administrative Tribunal and requested to dismiss the O.A. Further the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad has passed its final orders (reference 11<sup>th</sup>) in the above O.A on 08.08.2012 and set aside the above Government orders (reference 10<sup>th</sup>) and directed to consider the explanation given by the applicant on 11.10.2010 to the Show Cause Notice dated 15.09.2010 and pass appropriate orders thereon within a period of two weeks from the date of receipt of the order, as the applicant has already retired from service on 31.10.2006, and basing on the said orders, the respondents shall release the pension and pensionary benefits of the applicant within a period of four weeks thereafter.
9. In pursuant of the orders of the Hon'ble Tribunal, the explanation of the Charged Officer, dated 11.10.2010 ( reference 12<sup>th</sup> ) has been received from the Deputy Inspector General, Warangal wherein the Charged Officer has stated that the charges framed against him were omissions and commissions committed by him, but not any other serious allegations, such as tampering with records etc., which should not have been taken into cognizance of which were no way concerned with the style and functioning of Joint Sub-Registrar. Therefore he has requested to drop further action against him.
10. After examining the same, Government observed that the Charged Officer failed to submit satisfactory reasons that as to why the contents of the joint representation of employees cannot be taken into consideration, as such he has stated that there is no serious allegations,

they are only omissions and commissions. As such in other words he has accepted the contention of the petition. Further the Charged Officer has not mentioned any reasons as to why he has kept several documents pending for scrutiny and assigned irregular numbers though the parties paid the deficit stamp duty and registration fee on the day of presentation. Further the Charged Officer has failed to explain the reasons that why he was collected fee without issuing of market value slips. Hence the explanation of the Charged Officer has not hold any water to consider his request. In view of the above, it was finally decided to impose a penalty of 5% cut in pension for a period of (5) years against the Charged Officer and the Andhra Pradesh Public Service Commission agreed with the proposal of the Government (reference 14<sup>th</sup>).

11. Accordingly, it is hereby decided and order to impose a penalty of 5% cut in pension for a period of (5) years against Sri Syed Masood Ali, former Joint Sub Registrar-I, Registrar Office (OB), Warangal (now retired) for the irregularities committed by him.

12. The Commissioner and Inspector General, Registration & Stamps Department, A.P., Hyderabad is requested to take necessary further action accordingly in the matter.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**VINOD K.AGRAWAL**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

**To**

The Individual. **(through the D.I.G., R&S, Warangal)**

The Commissioner and Inspector General,

Registration & Stamps Department, A.P., Hyderabad.

The Deputy Inspector General,

Registration & Stamps, Warangal,

House No.2-725/1-3, Sridhar Complex, Circuit House Road,

KLN Reddy Colony, Hanumakonda, Warangal-506 010.

**(with a request to furnish served copy of this G.O. to Govt.)**

**Copy to:**

1. The Secretary,  
Andhra Pradesh Public Service Commission, Hyderabad.
2. The Accountant General, A.P., Hyderabad.
3. The Government Pleader for Revenue(S),  
A.P. Administrative Tribunal, Hyderabad. **(for information)**
4. CC.

// FORWARDED : BY ORDER //

**SECTION OFFICER**